

**CITY OF COPPERAS COVE
CITY COUNCIL REGULAR MEETING MINUTES
OCTOBER 5, 2004 - 7:00 P.M.**

A. CALL TO ORDER

Mayor, Bradi D. Diaz called the regular meeting of the City Council of the City of Copperas Cove Texas to order at 7:00 p.m.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Gatewood gave the Invocation, and led the Pledge of Allegiance.

C. ROLL CALL

ALSO PRESENT

Bob Reeves (excused absence)
Ray Don Clayton
John Gallen
James Stockman
R. Ray Gatewood
Bud Owsley (excused absence)
Annabelle Smith

Steven J. Alexander, City Manager
Pamela J. Russell, City Secretary
James R. Thompson, City Attorney

D. ANNOUNCEMENTS

Council Member Smith

- Reminder for the Annual Ogletree Folklife Festival, which will be held the third weekend in October. The food will be terrific, and there will be real cowboys and the traditional reenactment show. Come out and enjoy the fun.

Council Member Gallen

- On October 16, 2004, CCISD will host a United Way Kick Off, so please donate to this worthy cause.

E. PUBLIC RECOGNITION

1. Proclamation – "Crime Prevention Month, 2004". **Bradi D. Diaz, Mayor**

Mayor Diaz read the proclamation and presented it to Lt. Austin. Lt. Austin stated he was proud of the success of the community, and proud that we do not have to suffer from many crimes that other cities close by have to deal with. Lt. Austin gave praise to the various programs and Civic groups that all contribute to Crime Prevention within the City.

- F. CITIZENS' FORUM** citizens are allowed to speak on any matter other than personnel matters, matters under litigation, or matters on the regular agenda, for a length of time not to exceed five minutes per person. Thirty minutes total has been allotted for this section.

Diane Steele – 905 N. 4th Street. Stated she did not believe the Council is spending the City's tax dollars wisely, and does not think that Code Enforcement needs to be included in the Fire Department. Mrs. Steele also stated that sales tax revenue was lost during the month the smoking ordinance was in effect. Mrs. Steele also stated she was upset over the poor condition of the cemetery, and also upset over potential annexation, and told the City Council to "Get priorities straight".

Les Ledger – 3130 FM 1113. – Mr. Ledger stated he was a downtown business owner in Copperas Cove. Mr. Ledger stated he was concerned over annexation, and would like to give input and comments before the Annexation Committee makes any decision. Mr. Ledger stated he felt that his past cooperation with the City was foolish, and requested the Council "Let us continue to enjoy our beautiful domain."

Barbara Gividen - 111 Easy Street – Mrs. Gividen stated she feels sorry for people that are potentially going to be annexed, and stated that her son's property was annexed more than 10 years ago, but it has still not been hooked to the City sewer system, and would like to know why.

Mayor Diaz stated that the City Manager will be contacting Mrs. Gividen on this issue.

Edward Meier - 503 Meggs, Copperas Cove. Mr. Meier stated he had attended the Annexation Committee meetings, and has been unable to come up with another reason for why the City would want to annex more property and take on more responsibility. Mr. Meier stated: "the City needs basic sidewalks, Topsey Road still needs a sidewalk and if we can't take care of what we've got, we don't need to take on any more".

Helen Thacker – 25th Street, Copperas Cove. Mrs. Thacker expressed concerns over the new ordinance regarding parking in residential areas close to the High School, and stated that the high school is a closed campus, so questioned why it is necessary to prohibit parking from 7 a.m. thru 5 p.m. Mrs. Thacker wanted to know if someone would ease her mind and explain why she was being penalized.

G. CONSENT ITEMS

1. Consideration and action on approval of minutes from the September 21, Regular City Council meeting. **Pamela J. Russell, City Secretary**

2. Consideration and action on granting a leave of absence for Mayor Pro Tem Owsley for two consecutive City Council Meetings in the month of October, 2004. **Pamela J. Russell, City Secretary**

3. Consideration and action on approval of Resolution No. 2004-20 authorizing the submission of a grant application to the Texas Community Development Program (TCDP) to apply for funding through the Community Development Block Grant (CDBG) program and identifying a person to act on the City's behalf in all matters pertaining to the City's participation in the Community Development Program. **Jeri Denniston, Grants Administrator/Budget Analyst**

Council Member Clayton made a motion to approve consent items G-1, G-2, and G-3. Council Member Gallen seconded the motion and with a unanimous vote, motion carried.

H. PUBLIC HEARINGS/ACTION

1a. Public Hearing on Ordinance No. 2004-30 concerning a zoning change for a 0.69 acre tract located on Hog Mountain from R-1 Single Family Residential to R-1 Single Family Residential with a Conditional Use Permit for placement of a communication tower, providing an effective date and containing a saving clause. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO gave an overview of Ordinance No.2004-30.

Mayor Diaz opened the public hearing:

Speaking For: None.

Speaking Against: None.

Mayor Diaz closed the public hearing

1b. Consideration and action on Ordinance No. 2004-30 concerning a zoning change for a 0.69 acre tract located on Hog Mountain from R-1 Single Family Residential to R-1 Single Family Residential with a Conditional Use Permit for placement of a communication tower, providing an effective date and containing a saving clause. **David Lilley, City Planner/CBO**

Council Member Gallen made a motion to approve Ordinance No. 2004-30. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2004-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, CHANGING THE ZONING ON A 0.69 ACRE TRACT OWNED BY THE CITY OF COPPERAS COVE FROM R-1 SINGLE FAMILY TO R-1 SINGLE FAMILY WITH A CONDITIONAL USE PERMIT FOR A COMMUNICATION TOWER, PROVIDING AN EFFECTIVE DATE AND CONTAINING A SAVING CLAUSE.

2a. Public hearing on acceptance of a final plat for Skyline Valley, Phase Five, submitted by Bellpas, Inc. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO gave an overview of agenda item H-2a.

Mayor Diaz opened the public hearing.

Speaking For: None.

Speaking Against: None.

Mayor Diaz closed the public hearing.

2b. Consideration and action on a final plat for Skyline Valley, Phase Five, submitted by Bellpas, Inc. **David Lilley, City Planner/CBO**

Council Member Gatewood made a motion to approve agenda item H-2b. Council Member Smith seconded the motion, and with a unanimous vote, motion carried.

3a. Public Hearing on acceptance of a petition from Bellpas Inc. concerning the voluntary annexation of 24.974 acres. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO gave an overview of agenda item H-3a.

Mayor Diaz opened the Public Hearing.

Speaking For: None.

Speaking Against: None.

Mayor Diaz closed the public hearing.

3b. Consideration and action of acceptance of a petition from Bellpas Inc. concerning the voluntary annexation of 24.974 acres. **David Lilley, City Planner/CBO**

Council Member Stockman made a motion to approve agenda item H-3b. Council Member Gallen seconded the motion, and with a unanimous vote, motion carried.

I. ACTION ITEMS

1. Consideration and action on Ordinance No. 2004-31 concerning the annexation of 24.974 acres, providing an effective date and containing a saving clause. **David Lilley, City Planner/CBO**

David Lilley, City Planner/CBO gave an overview of Ordinance No. 2004-31. Council Member Stockman made a motion to approve Ordinance No. 2004-31. Council Member Gallen seconded the motion, and with a unanimous vote, motion carried.

The Ordinance caption reads as follows:

ORDINANCE NO. 2004-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS, ANNEXING 24.974 ACRES INTO THE CITY LIMITS AND GRANTING A R-1 SINGLE FAMILY ZONING DESIGNATION, PROVIDING AN EFFECTIVE DATE AND CONTAINING A SAVING CLAUSE.

2. Consideration and action on authorizing the City Manager to enter into an Interlocal Agreement with the Copperas Cove Independent School District to share facilities for recreational purposes. **Ken Wilson, Director of Community Services**

Ken Wilson, Director of Community Services gave an overview of agenda item I-2. Council Member Gallen made a motion to approve agenda item I-2. Council Member Stockman seconded the motion, and with a unanimous vote, motion carried.

3. Consideration and action on nominations for board members to serve on the Coryell County Appraisal District. **Robert Camareno, Assistant City Manager/Director of Finance**

Robert Camareno, Assistant City Manager/ Director of Finance gave an overview of agenda item I-3. Council Member Gatewood nominated Bob Wiess to fill the vacancy on the Coryell County Appraisal District Board of Directors. Council Member Clayton seconded the motion, and with a unanimous vote, motion carried. This unexpired term will end on December 31, 2005.

J. STAFF REPORTS

1. Financial Report for the month ended August 31, 2004. **Robert Camareno, Assistant City Manager/Director of Finance**

Robert Camareno, Assistant City Manager/Director of Finance gave the Financial Report for the month ended August 31, 2004.

2. Report on the seal coat and overlay projects. **Paul M. Boyer, P.E., City Engineer**

Paul Boyer, City Engineer stated: When overlay and seal coat projects were awarded the Council was told a follow up report would be given. This project was completed within the time frame and budget allowed. Minimal complaints were received from residents; mostly addressing the inconvenience of having to move cars while the work was being done. This was a successful job, and a project we will continue.

K. REPORTS OF ADVISORY COMMITTEES AND BOARDS – None.

L. ITEMS FOR FUTURE AGENDAS – None.

M. EXECUTIVE SESSION – None.

N. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ANY ITEMS POSTED AND LEGALLY DISCUSSED IN EXECUTIVE SESSION

O. ADJOURNMENT

There being no further business, Mayor Diaz stated the meeting adjourned at 7:51 p.m.

Bradi D. Diaz, Mayor

ATTEST:

Pamela J. Russell, TRMC, CMC, City Secretary